

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RVIN REYES, ISRAEL CORTEZ CRUZ,
EDISON AGUIRRE, BENIGNO PERALTA, JR.
GERRY ROXAS, AIRES BAYABORDA,
BENCHER MONTEBON, ARNIEL GOMEZ
And SHERIDAME GARCIA, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

-Against-

CITY OF RYE, RYE GOLF CLUB, RM STAFFING &
EVENTS, INC., MORRIS YACHT AND BEACH CLUB,
INC. and SCOTT YANDRASEVICH, Jointly and Severally,

Defendants.
-----X

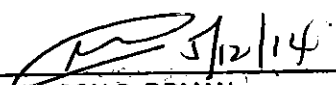
NOTICE OF MOTION

13-Civ-9051 (NSR)

Defendant Morris Yacht and Beach
Club's Motion to Dismiss is
Denied without prejudice for failure
to follow my Individual Practices,*
See Sec. 3.A.ii.

Dated: May 12, 2014
White Plains, NY

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

PLEASE TAKE NOTICE, that upon the Declaration of Simone Pam Handfield,
dated May 9, 2014, and the exhibits attached thereto, upon the accompanying Memorandum
of Law, and upon all prior proceedings had herein, Defendant Morris Beach and Yacht Club,
Inc. will move in this Court at the above captioned Courthouse, located at 300 Quarropas
Street, White Plains, New York, on a date to be determined by the Court, for an Order
pursuant to Fed. R. Civ. P. 12(b)(6) dismissing all claims against it for failure to state a claim
upon which relief may be granted, and such other and further relief as this Court may deem
just and proper.

PLEASE TAKE FURTHER NOTICE, that this action has been referred by this
Court for inclusion in the Pilot Project Regarding Case Management Techniques for
Complex Civil Cases in the Southern District of New York. Pursuant to the procedures set

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*(as well as Motion Procedures,
Section A.1., of the Pilot Project
Regarding Case Management Techniques
for Complex Civil Cases.)

forth in Motion Procedures, section A, Pre-Motion Conferences, sub-section (4)(c),
Defendant Morris Yacht and Beach Club, Inc. respectfully requests a conference to address
the issues raised by the pending motion.

Dated: White Plains, New York
May 9, 2014

Respectfully submitted,

LYONS MCGOVERN, LLP

By: /s/ Simone Pam Handfield
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